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IN THE MATTER OF:

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

CC DOCKET NOS.

96-45 and 97-21

LETTER OF APPEAL

BY THE SOUTH CAROLINA

BUDGET AND CONTROL BOARD

OFFICE OF INFORMATION RESOURCES

OF THE DECISION OF SCHOOLS AND LIBRARIES

DIVISION

DOCKET FILE COPY ORIGINAL

APPEAL TO THE FEDERAL COMMUNICATIONS COMMISSION OF THE
DECISION OF THE SCHOOLS AND LIBRARIES DIVISION OF THE UNIVERSAL
SERVICE ADMINISTRATIVE COMPANY REGARDING:

FORM 471 APPLICATION NUMBER 265470

APPLICANT FORM IDENTIFIER: YEAR 4

(Funding Request Number Not Assigned)

I. Contact Information

David Boison
SC Office of Information Resources
4430 Broad River Road
Columbia, SC 29210
803-896-0419

II. Request for Relief

The South Carolina Budget and Control Board Office of Information Resources (OIR) respectfully submits to the Federal Communications Commission this appeal of the Fund Year 4 Form 471 Rejection Letter from the Schools and Libraries Division of the Universal Service Administrative Company (SLD) dated March 22, 2001 (Att. A). This decision determined that the above referenced Form 471 was not the correct OMB approved FCC Form 471 which should be dated October 2000 in the lower right hand corner of the form. OIR submits that the completed form was printed from the Schools

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and Libraries Division website, yet the SLD rejected the Form 471 upon determining that certain pages in the packet (one page in Block 4 and several pages of Block 5) failed to include the correct revision date in a footer on the bottom right hand corner of the form. OIR has no means to determine the reason that such revision date footer is missing; however, OIR reiterates that OIR printed the appropriate form from the SLD website, and the substance of the form is accurate in all respects. The form used by OIR is identical to the form currently on the SLD website and complies with all SLD requirements.

By Notice of Appeal, dated April 3, 2001, OIR sought reconsideration of the decision by the SLD. This Appeal requested a ruling that Form 471 Application Number 265470 is in proper form to be considered for funding without further delay due to a printing error which was no fault of the applicant and not a substantive error.

Due to the persistent delays and severely poor service that OIR has received from SLD regarding this matter, OIR is compelled to file this Appeal with the FCC in order to achieve resolution. OIR has made every effort to comply with SLD protocol regarding this mere technicality that is holding up OIR's application; however, SLD has not responded with the diligence necessary to ensure that OIR's application is given fair consideration. OIR remains committed to the fact that this application is accurate in all respects and reminds all of the parties that this application involves over 10 million dollars.

Due to the urgency of the matter and the dollar amount involved, OIR requests prompt resolution of this minor technicality and full funding of the application as filed.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "R. Brian Johnson". The signature is fluid and cursive, with a long horizontal stroke at the end.

R. Brian Johnson, Esq.
Assistant General Counsel
South Carolina Budget and Control Board
Office of Information Resources

Address: 4430 Broad River Road
Columbia, South Carolina 29210

Telephone: 803-896-0303

Fax: 803-896-0099

CERTIFICATE OF SERVICE

I, R. Brian Johnson, hereby certify that on April 19, 2001 I have served via next day hand delivery a copy of the Appeal of the Decision of the Schools and Libraries Division of the Universal Service Administrative Company Regarding: FORM 471 APPLICATION NUMBER 265470/APPLICANT FORM IDENTIFIER: YEAR 4 to the following:

FCC
Office of the Secretary
445 12th Street, SW
12th Street Lobby, SW
Washington, DC 20554

A copy has been provided via regular U.S. mail to:

Universal Service Administrative Company
Schools and Libraries Division
Box 125 - Correspondence Unit
80 South Jefferson Road
Whippany NJ 07981

A handwritten signature in black ink, appearing to read "R. Brian Johnson", is written over a horizontal line.

R. Brian Johnson, Esq.
Assistant General Counsel
South Carolina Budget and Control Board
Office of Information Resources

Address: 4430 Broad River Road
Columbia, South Carolina 29210

Telephone: 803-896-0303

Fax: 803-896-0099

Dated: April 19, 2001



Universal Service Administrative Company
Schools & Libraries Division

Fund Year 4 FORM 471-REJECTION LETTER

March 22, 2001

DAVID BOISON
SC OFFICE OF INFORMATION RESOURCES
4430 BROAD RIVER ROAD
COLUMBIA, SC 29210-0000

Re: Applicant's Form Identifier: YEAR 4
Form 471 Application Number: 265470

Dear Applicant:

This letter is your notification that the entire FCC Form 471, *Services Ordered and Certification Form*, you submitted did not meet Minimum Processing Standards and cannot be processed. *Your Form 471 is enclosed with this letter, which means that the Schools and Libraries Division (SLD) could not process any portion of it.* Below is an explanation of the specific reason(s) your Form 471 did not meet the Minimum Processing Standards:

- The Form 471 submitted is not the correct OMB-approved FCC Form 471 dated October 2000 in the lower right-hand corner of the form..

If you disagree with this decision and you wish to appeal to the SLD, your appeal must be made in writing and received by us within 30 days of issuance of this letter. In your letter of appeal, please include: correct contact information for the appellant, information on the decision you are appealing, the specific Funding Request in question, a copy of this letter and an original authorized signature. Appeals sent by fax, e-mail or phone call cannot be processed. Please mail your appeal to: Letter of Appeal, Schools and Libraries Division, Box 125-Correspondence Unit, 80 South Jefferson Road, Whippany, NJ 07981. You may also call our Client Service Bureau at 888-203-8100. While we encourage you to resolve your appeal with the SLD first, you have the option of filing an appeal directly with the Federal Communications Commission (FCC), by sending your notice of appeal to: FCC, Office of the Secretary, 445 12th Street, SW; 12th Street Lobby, SW; Washington, D.C. 20554. . Please reference CC Docket Nos. 96-45 and 97-21 on the first page of your appeal. If you choose to file an appeal with the FCC, your appeal must be received no later than 30 days from the date on this letter.

Schools and Libraries Division
Universal Service Administrative Company

Enclosure:

(1) Form 471

Att. A

FCC courtesy copy of OIR's
April 3, 2001 Appeal to SLD

IN THE MATTER OF:

CC DOCKET NOS.
96-45 and 97-21

LETTER OF APPEAL
BY THE SOUTH CAROLINA
BUDGET AND CONTROL BOARD
OFFICE OF INFORMATION RESOURCES
OF THE DECISION OF SCHOOLS AND LIBRARIES
DIVISION

APPEAL OF THE DECISION OF THE SCHOOLS AND LIBRARIES DIVISION OF
THE UNIVERSAL SERVICE ADMINISTRATIVE COMPANY REGARDING:

FORM 471 APPLICATION NUMBER 265470
APPLICANT FORM IDENTIFIER: YEAR 4
(Funding Request Number Not Assigned)

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OIR seeks appeal of the decision by the SLD and a ruling that Form 471 Application Number 265470 is in proper form to be considered for funding without further delay due to a printing error which was no fault of the applicant and not a substantive error. OIR reminds SLD that this application involves over 10 million dollars and requests prompt resolution of this minor technicality.

Respectfully Submitted,



R. Brian Johnson, Esq.
Assistant General Counsel
South Carolina Budget and Control Board
Office of Information Resources

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Columbia, South Carolina 29210

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Universal Service Administrative Company
Schools and Libraries Division
Box 125 - Correspondence Unit
80 South Jefferson Road
Whippany NJ 07981



R. Brian Johnson, Esq.
Assistant General Counsel
South Carolina Budget and Control Board
Office of Information Resources

Address: 4430 Broad River Road
Columbia, South Carolina 29210

Telephone: 803-896-0303

Fax: 803-896-0099

Dated: April 3, 2001



Universal Service Administrative Company
Schools & Libraries Division

Fund Year 4 FORM 471-REJECTION LETTER

March 22, 2001

DAVID BOISON
SC OFFICE OF INFORMATION RESOURCES
4430 BROAD RIVER ROAD
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Schools and Libraries Division
Universal Service Administrative Company

Enclosure:

(1) Form 471

AH. A